

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZURICH AMERICAN LIFE INSURANCE CO. :
and ZNA SERVICES LLC, :

Plaintiffs/Counter-Defendants, :

20-cv-11091 (JSR)

-v- :

ORDER

JON NAGEL, :

Defendant/Counterclaimant. :

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JON NAGEL, :

Counterclaimant, :

-v- :

CENTRE GROUP HOLDINGS (U.S.) :
LIMITED, et al., :

Counter-Defendants. :

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JED S. RAKOFF, U.S.D.J.

Now before the Court is the motion of Counter-Defendants Zurich Insurance Group Ltd, Zurich Insurance Company Ltd, and Zurich Finance Company Ltd to dismiss Defendant/Counterclaimant Jon Nagel's counterclaims against them for lack of personal jurisdiction under Fed. R. Civ. P. 12(b)(2) and failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6). ECF No. 70.

Upon due consideration, the motion to dismiss Nagel's counterclaims as to these counter-defendants on grounds of lack of

personal jurisdiction is granted. However, because the Court recognizes the personal jurisdiction issue is a close one, the Court goes on to reach the 12(b)(6) issue and also grants that motion. Further discovery on jurisdiction is denied as unnecessary, given the grounds that will be elaborated in the Court's opinion. Nagel's oral motion at argument for leave to amend his counterclaims is denied; having reviewed the materials already presented by Nagel in and attached to his opposition to the instant motion, amendment does not change the Court's result.

The Court will issue an opinion setting forth the reasons for this ruling by no later than November 15, 2021.

SO ORDERED.

Dated: New York, NY
November 1, 2021


JED S. RAKOFF, U.S.D.J.